

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

STAR FABRICS, INC.,

Plaintiff,

v.

AAKAA, INC. et al.,

Defendants.

Case No. 2:25-cv-03068-SB-BFM

ORDER TO SHOW CAUSE RE
SANCTIONS

The Court previously ordered the parties to file a joint status report and Plaintiff to request entry of default against Defendant CS Clothing. The parties failed to timely comply with the order. On June 17, 2025 the Court issued an order to show cause (OSC), to be heard on July 11, 2025, requiring: (1) lead counsel for each party to submit a declaration addressing the violation; (2) Plaintiff to request entry of default against CS Clothing; and (3) Plaintiff to file a notice of dismissal as to the settling defendants. Dkt. No. 33.

Lead counsel filed declarations explaining that the late filing was caused by Plaintiff's counsel's miscommunication to his paralegal. Dkt. Nos. 35, 36. The Court is satisfied that defense counsel is not at fault for the violation and thus discharges the OSC as to Defendant and its counsel. On the other hand, Plaintiff did not fully comply with the OSC by failing to file the notice of dismissal of the settling parties. Moreover, Plaintiff filed a deficient request for entry of default and then neglected to correct the deficiencies. *See* Dkt. No. 37 (Notice of Deficiency). By July 16, 2025, Plaintiff shall: (1) file the notice of dismissal of the settling parties and (2) correct the deficient request for entry of default.

Plaintiff also failed to appear at the OSC hearing on July 11. Accordingly, the Court continues the OSC to August 1, 2025, and Plaintiff is additionally ordered to show cause why it and its counsel should not be sanctioned under

Federal Rule of Civil Procedure 16(f) and the Court's inherent authority for the failure to appear. *See* Fed. R. Civ. P. 16(f) (permitting sanctions where a party "fails to appear at a scheduling or other pretrial conference"). By July 28, 2025, Plaintiff shall file a response to the OSC addressing the failure to appear.

The Court will consider, among other sanctions, ordering Plaintiff and its counsel to pay the reasonable attorney's fees incurred by defense counsel for appearing on July 11. To that end, the parties shall meet and confer about the amount of attorney's fees caused by Plaintiff's failure to appear. If there is any dispute as to the amount of fees incurred, the parties shall file a joint statement providing their respective positions by July 28, 2025.

Date: July 14, 2025



Stanley Blumenfeld, Jr.
United States District Judge